

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

CYNTHIA CASTELLANOS,

Defendant.

8:03CR394

ORDER

This matter is before the court on the motion for an extension of time by defendant Cynthia Castellanos (Castellanos) (Filing No. 170). Castellanos seeks an additional thirty days in which to file pretrial motions. Castellanos has filed an affidavit wherein she consents to the motion and acknowledges she understands the additional time may be excludable time for the purposes of the Speedy Trial Act. Castellanos's counsel represents that government's counsel has no objection to the motion. Upon consideration, the motion will be granted. However, no further extensions will be granted except upon a showing by affidavit that a manifest injustice would occur if a requested extension is not granted.

IT IS ORDERED:

Defendant Castellanos's motion for an extension of time (Filing No. 170) is granted. Castellanos is given until **on or before May 5, 2008**, in which to file pretrial motions. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **April 4, 2008 and May 5, 2008**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 4th day of April, 2008.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge